

GREENWOOD COMMON COUNCIL

AUGUST 2<sup>nd</sup>, 2010 MINUTES

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**I. Call Meeting to Order**

Mayor Charles Henderson called the meeting to order at 7:03 p.m.

The audience recited the Pledge of Allegiance in unison after which Chaplain David Mark Owens, of Johnson Memorial Hospital, led in prayer.

PRESENT: Mayor Charles Henderson; Council Members Bruce Armstrong, Ron Bates, Brent Corey, Ron Deer, Linda Gibson, and Tim McLaughlin; Clerk Treasurer Jeannine Myers; City Attorney Shawna Koons.

**II. Minutes of the Regular Meeting on July 19<sup>th</sup>, 2010**

Mr. Bates moved to approve the regular meeting minutes of the Greenwood Common Council of July 19<sup>th</sup>, 2010. Second by Mr. Deer. **Vote: Ayes. Motion carries.**

**III. Unfinished Business**

**A. Items from the City Attorney**

City Attorney Shawna Koons asked the Council Members if they had received the copy of the report on the Matters of Litigation, and if there were any questions.

**B. Committee Reports**

Ms. Gibson stated that the Planning Commission did not meet.

Mr. Corey stated that the Sign Committee met and they hope to have something for the Council to review and give to the Planning Commission at the next Council Meeting.

**IV. Ordinances and Resolutions in Process**

**1. First Reading**

None.

**2. Second Reading**

None.

**3. New Business**

ORDINANCE NO. 10-24 - AN ORDINANCE FIXING SALARIES OF APPOINTED OFFICERS AND EMPLOYEES OF THE CITY OF GREENWOOD, INDIANA FOR THE YEAR 2011

Mr. Deer stated that it appeared the Board of Public Works and Safety had too high of an increase. City Attorney Shawna Koons stated that it can be looked into and changed. Ms. Gibson stated that the Clerk Treasurer's Office can run the figures of what the increase would be, including benefits, for both 3% and 1.5% raises. Ms. Gibson asked if that could be presented at the next meeting. Mr. Deer stated his concern that employees will think that they are supposed to be paid what the salary ordinance has in it. City Attorney Shawna Koons stated that the salaries in the ordinance are the highest amount that can be paid but is not how much the employees have to be paid. Mayor Charles Henderson stated that someone from the Department of Local Government Finance had told him that employees can also be given a bonus. Ms. Gibson asked to have the numbers for the 3% raise and 1.5% raise before the next meeting so the Council has time to review the figures. Mr. Armstrong also stated his concern that the ordinance is not clear that the salaries are just a maximum amount but does not have to be paid and asked if the wording could be changed.

**V. Miscellaneous Business**

**A. Council**

Mr. Bates asked for an update on the road projects. Mayor Charles Henderson stated that the City is spending about a million dollars on the road projects and would get as much done as possible depending on the cost of materials. Mayor Charles Henderson stated that they are over half way done. Further discussion regarding specific streets followed. Ms. Gibson asked if the Mayor knew how much the City has saved by doing the streets by material instead of individual projects. Mayor Charles Henderson stated that he would get back to her on that.

Mr. Corey stated that he had distributed the Council Budget and asked if there were any questions.

**B. Clerk Treasurer**

Clerk Treasurer Jeannine Myers stated that she had passed out cash flows for the Fire Department and the Parks and Recreation Department because they may need a temporary loan this year.

**C. City Attorney**

City Attorney Shawna Koons presented the following Compliance with Statement of Benefits forms for Tax Abatements for approval:

- 1) Allen/Christy Associates, LLC

Moved by Mr. Bates. Seconded by Mr. Corey. **Vote: Ayes. Motion Carries.**

- 2) Greenbrooke Medical Pavilion – J. Greg Allen & Associates, Inc.

Moved by Mr. Bates. Seconded by Mr. Corey. **Vote: Ayes. Motion Carries.**

- 3) Precedent Commercial Development, LLC (Precedent South – Building 3)

Moved by Mr. Corey. Seconded by Mr. McLaughlin. **Vote: Ayes. Motion Carries.**

- 4) J. Greg Allen & Associates, Inc. for GWA Wheatcraft, LLC

Moved by Mr. Corey. Seconded by Mr. Deer. **Vote: Ayes. Motion Carries.**

- 5) J. Greg Allen & Associates, Inc. for Emerson Office Parke Building Two, LLC

Moved by Mr. Bates. Seconded by Mr. Corey. **Vote: Ayes. Motion Carries.**

- 6) OI Greenwood Investors, LLC

Moved by Mr. Corey. Seconded by Mr. McLaughlin. **Vote: Ayes. Motion Carries.**

- 7) AMOS South, LLC (County Line Medical Pavilion)

Moved by Mr. Bates. Seconded by Mr. Deer. **Vote: Ayes. Motion Carries.**

- 8) Dennis R. Curlee (Thru an Entity to be Formed)

Moved by Mr. Bates. Seconded by Mr. Corey. **Vote: Ayes. Motion Carries.**

- 9) Dennis R. Curlee (Thru an Entity to be Formed)

Moved by Mr. Corey. Seconded by Mr. Bates. **Vote: Ayes. Motion Carries.**

City Attorney Shawna Koons asked for direction regarding additional annexations along State Road 135 in light of the Court of Appeals decision and ruling on the Bargsville law suit. This will need to be done quickly as Bargsville will most likely try to annex as well. Mr. Corey moved to annex the commercial areas on the west side of State Road 135 from Smith Valley Road to Whiteland Road. Second by Mr. Deer. **Vote: Ayes. Motion carries.**

**D. Audience**

None.

**E. Mayor**

Mayor Charles Henderson stated that the Budget will be introduced at the next meeting and there will be further discussion on the Salary Ordinance.

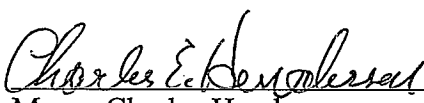
Mayor Charles Henderson stated that the merger resolution was not filed in time. This does not mean that it is dead but it will need to be amended so that it can go on the next available ballot in May 2012. Mayor Charles Henderson stated that a decision does not need to happen yet and more research should be done. White River Township Board President Mark Messick agreed with the Mayor that a decision does not need to happen yet. It is disappointing after all the hard work that this won't happen. Apparently the Resolution from White River Township was not given to Greenwood Clerk Treasurer Jeannine Myers and it wasn't certified by the White River Township Trustee. Mr. Messick stated that he had found out about a week ago that the Board could've certified the Resolution and they were unaware that there was a deadline to have it done by August 1<sup>st</sup> 2010. Mr. Messick apologized on behalf of the White River Township Board for not getting the Resolution to Greenwood so that the Clerk Treasurer could do her job. Mr. Corey asked if the White River Township Trustee had ever signed the resolution. Mr. Messick replied that it was given to the Trustee to sign but he had stated that he was uncomfortable signing it until he could review it with the Township Attorney. Mr. Messick stated that to his knowledge the Trustee had never signed it. Mr. Deer stated that the Clerk only attests the signatures of the Board and it is not about whether the Clerk agrees with it or not. Mr. Corey stated that a politician was negligent of their job. Mr. Messick stated that there will be a meeting, but the Board cannot hire an attorney, which inhibits the process when the Trustee gives the Township Attorney direction. Mr. Messick stated that it is possible an attorney would be willing to work pro bono on amending the resolution and giving advice. Mayor Charles Henderson stated that because of the issues with the merger he has asked the State Senator Brent Waltz to ask the legislature to clear up the laws regarding first in time and who gets to vote. Mayor Charles Henderson stated that he believes that White River Township wanted the merger and that it would be fine if they amended the resolution first and sent it to Greenwood. Mr. Messick stated that he would like to see this become a more positive issue in the future. Mr. Deer stated that there is a political statement here, because there is one person who chose not to sign the resolution. Ms. Gibson asked if Mr. Messick had tried to speak with the Trustee and stated that it is very sad that one person kept the public from being able to vote on the merger. Mr. Messick replied that he spoke with the Trustee twice after the vote, and the Trustee said he hadn't had a chance to speak with the Township Attorney yet. Greg Rainbolt, candidate for the White River Township Board, stated that because of the timeline it would be a good idea to research whether or not a whole new plan and resolution will be needed.

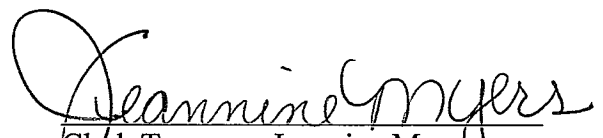
Ms. Gibson asked about the appointments that were tabled. City Attorney Shawna Koons replied that she is looking into the dates because they may be inaccurate.

Mr. Deer thanked the Street Department and the Sanitation Department for the job they had done on West Broadway Street.

**VI. Adjournment**

With no further business, the meeting adjourned at 7:53 p.m.

  
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Mayor Charles Henderson

  
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Clerk Treasurer Jeannine Myers

